

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>19 December 2017</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>Tree Preservation Order – Muirkirk Road, Strathaven</b>
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## 1. Purpose of Report

1.1 The purpose of the report is to:-

- ◆ Seek approval for the making of a Tree Preservation Order (TPO) on the beech tree immediately north of Muirkirk Road, approximately 50m west of the junction with Muirkirk Gardens.

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that a Provisional Tree Preservation Order be promoted under the terms of Section 163 (Provisional Tree Preservation Order) of the Town and Country Planning (Scotland) Act 1997 on the tree identified on the attached plan.
- (2) that this Provisional Tree Preservation Order be confirmed within six months from the date of this Order should there be no objections.

## 3. Background

3.1 The tree that is subject to the proposed TPO is located within a hedgerow adjacent to Muirkirk Road, just outside the current western boundary of Strathaven. A proposal of application notice (EK/17/X0267/NEW) was submitted in July 2017 for a residential development of this site. Following some site investigation works undertaken at the site, the Council received correspondence from a member of the public concerned about the potential loss of the tree, including a request to place a tree preservation order on the tree due to its amenity value in the local area.

## 4. Policy History

4.1 The land on either side of Muirkirk Road, including Muirkirk Road and the tree, is allocated in the South Lanarkshire Local Development Plan (2015) as housing land.

## 5. Grounds for Making the TPO

5.1 The reason for making the TPO is that the mature beech tree is considered to contribute to the character, amenity and sense of place within the local area. In this regard, the Council's Arboricultural Manager has advised that the tree should be protected, given its significance as a local landmark. It is noted that the tree is highly visible in the area by virtue of its size, form and siting on the edge of the town and on a main transport route. In addition, the TPO will ensure that only appropriate maintenance is undertaken in consultation with the Council. In order to ensure the future retention of the tree, the promotion of a TPO is considered necessary.

**6. Employee Implications**

6.1 None.

**7. Financial Implications**

7.1 None.

**8. Equality Impact and Consultation Arrangement**

8.1 Consultations have taken place with the Council's Arboricultural Manager. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

**Michael McGlynn**

**Executive Director (Community and Enterprise Resources)**

**5 December 2017**

**Link(s) to Council Objectives**

- Improve the Quality of the Physical Environment (Source: Connect)

**Previous References**

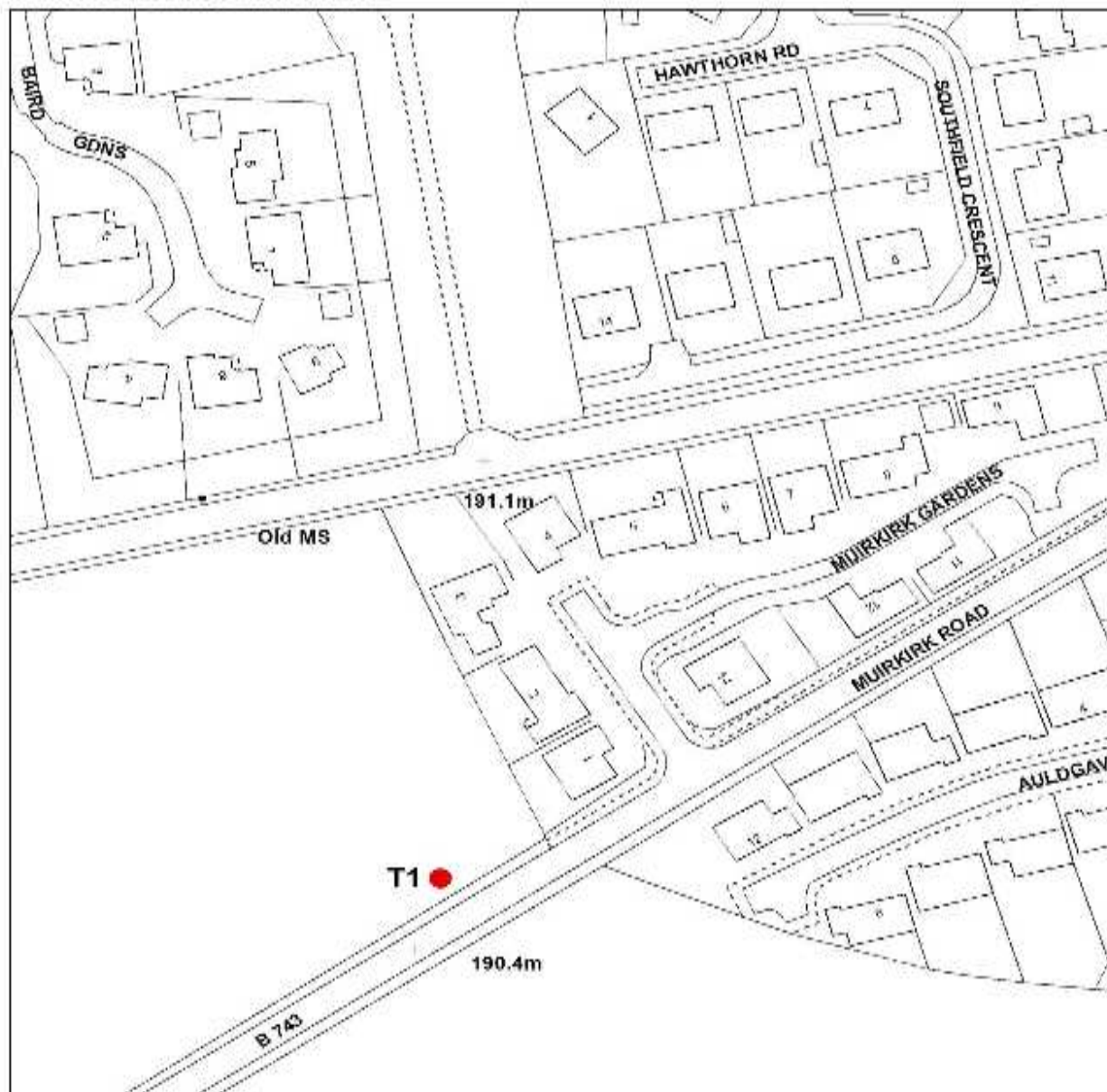
None

**List of Background Papers**

None

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**Tree Preservation Order - No SL51**  
**Muirkirk Road, Strathaven**



**This is the plan referred to in the First Schedule to the foregoing Tree Preservation Order**

Schedule : T1 Beech

**Community and Enterprise Resources  
 Planning & Building Standards Services**

Date: December 2017

Scale: 1:1,250

O.S. Coordinates:



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